

IN THE SPECIAL COURT OF EMINENT DOMAIN
DESOTO COUNTY, MISSISSIPPI

STATE HIGHWAY COMMISSION OF MISSISSIPPI

PETITIONER

vs.

NO. 5164

REDWOOD INVESTORS, LTD., OWNER;
TAYLOR FAMILY TRUST, BENEFICIARY;
MARCHANT LIVING TRUST, BENEFICIARY;
WILLIAM H. AUSTIN, JR., TRUSTEE;
JAMES T. NEWSOM, KIRBY H. RANDALL, GEORGE P. BEVAN,
JOSEPH E. JUBAN, JOY SCHOW MCKINNIS, LINDA MCKINNIS,
CINDY MCKINNIS, CAROL MCKINNIS and KEY MCKINNIS,
BENEFICIARIES;
WILLIAM P. MYERS, TRUSTEE;
J. L. TUBBS, EASEMENT OWNER;
DAVID THOMASON AND KAREN THOMASON,
D/B/A THOMASON TRUKING COMPANY, CLAIMANT;
JACK DOBBS AND JUANITA DOBBS, BENEFICIARIES;
JAMES B. WHITFIELD AND MARTHA J. WHITFIELD;
COLLEEN G. LEHNUS, BENEFICIARY;
D. B. BRIDGFORTH, JR., TRUSTEE;
B. T. AMOS, TRUSTEE;
JOHN BROCKMAN, D/B/A TYRA SERVICES, CLAIMANT;
ANY AND ALL UNKNOWN HEIRS-AT-LAW, DEVISEES,
EXECUTORS, ADMINISTRATORS, LEGAL REPRESENTATIVES
OR ANY OTHER PERSONS OR PARTIES IN INTEREST
HAVING OR CLAIMING ANY RIGHTS, TITLE OR INTEREST,
LEGAL OR EQUITABLE, IN AND TO THE REAL PROPERTY
DESCRIBED HEREIN.

DEFENDANTS

JUDGMENT

In this case, the claim of the State Highway Commission of Mississippi to have condemned certain lands named in the petition, title of ownership for which is vested in the Defendants, and which is described in Exhibit "A" attached hereto, was submitted to an impartial jury composed of the following twelve (12) men and women:

JEANNE ALSBROOK
MARY P. BRISTER
JAYNE A. CLARK
DORIS A. DOUGLAS
MYRTLE ANN DYE
TIMOTHY H. FLINN

BETTY JEAN BAKER
WALTER BUSKE
SHIRLEY DOCKERY
ROBERT S. DUNAWAY
BRENDA JOYCE ELLINGBURG
JIMMY D. GREEN

who have been duly impaneled, sworn, selected and accepted to try the issues between the petitioner and the defendants and having heard all of the evidence both oral and documentary, the arguments of counsel, and the instructions of the Court, on the 15th day of December, 1988, returned a verdict fixing said defendants due compensation and damages, if any, at Five Hundred Fifty Thousand and 00/100 Dollars (\$550,000.00), with said verdict being received and entered.

19th day of Dec., 1988

The State Highway Commission of Mississippi having previously tendered into Court on September 16, 1988, pursuant to an order granting immediate title and possession dated September 20, 1988, the sum of Four Hundred Fifty Thousand Five Hundred Dollars (\$450,500.00); is allowed credit for said sum against the judgment rendered in this cause.

NOW, upon payment of said award, with legal interest from the date of filing of the petition, ownership of the said property shall be vested in petitioner and it may be appropriated to the public use as prayed for in the petition. Let the petitioner pay the costs, for which let execution issue.

ORDERED AND ADJUDGED, this the 19th day of December, 1988.

M. E. Barber
Judge

**STATE OF MISSISSIPPI
DESOTO COUNTY,**

I, Jeanette B. Martin, Clerk of the Circuit Court in and for said county and state, hereby certify that the foregoing is a true and correct copy of the Judgment as same appears on file or of record in Book 6-20 Page of the Records of DeSoto County, Mississippi.

Witness my hand and official seal this 19th day of December, 19 88
Jeanette B. Martin
Circuit Clerk, DeSoto County, Mississippi

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All of the following excepting and excluding therefrom all oil and gas and other minerals which may be produced through a well bore.

PARCEL NO. 1
RIGHT-OF-WAY

Begin at the point of intersection of an East line of Defendants' property with the proposed no access right-of-way line of a proposed highway project as surveyed and staked by the Mississippi State Highway Department (said proposed highway project being known and designated as Federal Aid Project No. 54-0055-04-053-10 being a segment of Interstate Highway No. 55), said point of intersection is 60.2 feet North of and 1,518.0 feet East of the Southwest corner of Section 25, Township 1 South, Range 8 West; from said point of beginning run thence South 00° 20' West, a distance of 15.1 feet to the present Northerly right-of-way line of Mississippi Highway No. 302; thence run South 89° 48' West along said present Northerly right-of-way line of Mississippi Highway No. 302, a distance of 369.2 feet; thence North 02° 17' East, a distance of 31.0 feet; thence South 87° 44' East, a distance of 368.4 feet to the point of beginning of this Parcel No. 1, containing 0.20 acres, more or less, and

PARCEL NO. 2
RIGHT-OF-WAY

Begin at the point of intersection of a South line of Defendants' property with the present Westerly right-of-way line of Interstate Highway No. 55 as shown on the plans for the above mentioned proposed highway project, said point of intersection is 249.6 feet North of and 2,102.5 feet East of the Southwest corner of Section 25, Township 1 South, Range 8 West; from said point of beginning run thence North 89° 46' West, a distance of 184.0 feet; thence South 00° 54' West, a distance of 55.0 feet; thence North 89° 38' West, a distance of 21.8 feet; thence North 08° 01' East, a distance of 180.2 feet; thence North 16° 36' East, a distance of 548.3 feet to a point that is 275 feet Westerly of and perpendicular to the centerline of survey of the above mentioned proposed highway project at Station 1626 + 00; thence North 06° 56' East, a distance of 258.3 feet; thence North 07° 38' West, a distance of 400.0 feet; thence North 14° 10' East, a distance of 161.6 feet to the present Westerly right-of-way line of Interstate Highway No. 55; thence run South 07° 38' East along said present Westerly right-of-way line of Interstate Highway No. 55, a distance of 700.0 feet; thence run South 06° 24' West along said present Westerly right-of-way line of Interstate Highway No. 55, a distance of 772.6 feet to the point of beginning of this Parcel No. 2, containing 3.53 acres, more or less, and

PARCEL NO. 3
RIGHT-OF-WAY

Begin at a point that is 150 feet Westerly of and perpendicular to the centerline of survey of the above mentioned proposed highway project at Station 1636 + 00, said point is 1,909.5 feet North of and 2,069.1 feet East of the Southwest corner of Section 25, Township 1 South, Range 8 West; from said point of beginning run thence North 26° 55' West, a distance of 105.9 feet; thence North 07° 38' West, a distance of 200.0 feet; thence North 11° 39' East, a distance of 105.9 feet to the present Westerly right-of-way line of Interstate Highway No. 55; thence run South 07° 38' East along said present Westerly right-of-way line of Interstate Highway No. 55, a distance of 400.0 feet to the point of beginning of this Parcel No. 3, containing 0.24 acres, more or less, and

PARCEL NO. 4
RIGHT-OF-WAY

Begin at the point of beginning as it is described for Parcel No. 1 above and run thence North 87° 44' West along the Northern boundary of Parcel No. 1, a distance of 368.4 feet; thence South 02° 17' West along the Western boundary of Parcel No. 1, a distance of 31.0 feet to the present Northerly right-of-way line of Mississippi Highway No. 302; thence run South 89° 48' West along said present Northerly right-of-way line of Mississippi Highway No. 302, a distance of 324.5 feet to a Westerly line of Defendants' property; thence run North 01° 32' West along said Westerly property line, a distance of 12.5 feet; thence South 89° 58' East, a distance of 163.0 feet; thence North 33° 46' East, a distance of 143.5 feet; thence South 88° 38' East, a distance of 300.9 feet; thence North 77° 59' East, a distance of 154.8 feet to an Easterly line of Defendants' property; thence run South 00° 20' West along said Easterly property line, a distance of 139.2 feet to the point of beginning of this Parcel No. 4, containing 1.34 acres, more or less, and

Parcel Nos. 1 thru 4 contain an aggregate of 5.31 acres, more or less, and are situated in and a part of the South 1/2 of the Southwest 1/4 and the Northeast 1/4 of the Southwest 1/4 all in Section 25, Township 1 South, Range 8 West, City of Horn Lake, Desoto County, Mississippi.

Together with any and all abutters rights of access, if any, in, to, over, on and across Parcel Nos. 1, 2 and 3 as designated above.

EXHIBIT "A"